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Liberty

NOT THE DAUGHTER BUT THE MOTHER OF ORDER — PROUDHON

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"For always in thine eyes, O Liberty!
Shines that high light whereby the world is saved;
And though thou slay us, we will trust in thee."

JOHN HAY.

On Picket Duty.

Let no one wonder that Liberty is silent anent Boston's latest affliction, the "Christian Socialist" movement. Though one is sometimes bound to study an opponent's advantage rather than his gratification, and so speak daggers and "be cruel only to be kind," yet of the marriage of "scientific Socialism" to the dead horse of Christianity charity compels to forbear thinking aloud.

English hypocrisy is agitated over the hardships of the children employed on the stage, and is busily trying to get a law passed prohibiting or regulating theatrical employment of children. Really, it is appalling to contemplate the dreadful status of these children, especially in contrast with the convenience and comforts so abundantly enjoyed by the thousands of children of the London gutter.

Because Mr. Pentecost, in saying pleasant things of State Socialism, dares to have an opinion of his own and does not copy official statements, the organ of the Socialistic Labor Party vilifies him and accuses him of base motives. When State Socialism is established the guillotine will be the only cure for heresy, and the wages of such sin as Mr. Pentecost's will be death. For his sake, then, I hope that that time is not so near as he imagines.

A London newspaper reports that, when Rochefort learned the news of his son's suicide in Algeria, he rose from the table at which he had been sitting with his niece taking supper, and retired to his room, there bursting into bitter tears and falling on his knees to pray for his unhappy son. Of late Rochefort has been known to commit many unpardonable follies, but I cannot believe that he has lost his sanity so far as to resort to prayer.

E. C. Walker speaks of John Ruskin and Stephen Pearl Andrews as master writers of English prose. Now, there is a great deal to praise and admire in Andrews, but it will not do to pretend that his style is at all equal to Ruskin's, who has been *justly* called the master of modern English prose. I can easily name a dozen living writers far above Andrews and yet considerably beneath Ruskin on the scale of literary power and elegance.

T. L. M'Cready, the "Standard's" clearest and liveliest contributor, is rapidly working up his way to the Anarchistic position. He has abandoned a great part of the Georgian chaotic platform, and, with the exception of the single-tax measure, insists on industrial freedom. I think he is much nearer to us already than Mr. Pentecost, whose faith in the inevitableness of State Socialism is much stronger than facts and logic would seem to warrant. By the way, while Mr. Pentecost is dealing with the objections to Socialism, it would be well to attempt an answer to the article of Mr. M'Cready on the "Fallacies of Socialism" lately published in the "Standard."

The only prominent American daily that has taken the sound individualistic position on governmental and industrial questions is the Galveston "News," whose editorials Liberty frequently reprints with appreciation and pleasure. Are we now to be blessed with another powerful champion of freedom? The "Transcript" of this city the other day had a remarkable editorial, entitled "The Moral of Mr. Fink," the unmistakable moral of which was that compulsory government is incompatible with healthful economic activity. I reproduce it elsewhere for the benefit of those who are able to perceive the contrast between its robust logic and the sickly sentimentalism of the Boston Nationalists.

William Douglas O'Connor, the author of the "Good Gray Poet," whom Liberty counted with pride among its warmest friends, is dead. The world of letters loses in him one of its grandest and most unique personalities. Mr. O'Connor was a student, a scholar, a passionate lover of art, and took no part in practical affairs. But the few short productions of his pen will yet be recognized as the ornament and glory of English polemical literature. Some day the conspiracy of the "paltry and venomous swarm" of literary hypocrites and prudes, poisoners and blackguards, will be put down by public intelligence, and then Mr. O'Connor's defence of Walt Whitman will be ranked higher than the "Provincial Letters."

I hope the members of the English Liberty and Property Defence League are much the wiser (if sadder) for having been subjected to the plain talk of Grant Allen on "Individualism and Socialism" through the columns of the "Contemporary Review." His dealing with the questions of liberty and property is excellent, though the remedy which he proposes (land nationalization) would prove as subversive of both of them as the present iniquitous monopolies, of which the members of the "League" he derides are the beneficiaries, have proved to be. It would be interesting to learn why Grant Allen rejects the individualistic solution of the land problem (provided he is aware of its nature), and why he does not think it supplies that equality of opportunity about which he is so strenuous.

William Morris claims that the principle "Each as he pleases as long as he does not interfere with the equal liberty of others" has no meaning as an argument against authority, since it leaves unexplained this "crude and most obvious difficulty": "If individuals are not to coerce others, there must somewhere be an authority which is prepared to coerce them not to coerce, and that authority must clearly be collective." Now, it is astonishing, but true, that William Morris is guilty here of a "crude and most obvious" error: to defend one's self against coercion is not to exercise coercion; protection against invasion is not invasion; and communities may construct any safeguards against crime without being themselves in the least arbitrary and tyrannical. Even punishments of criminals are not invasions of rights, provided the may and may not are explicitly defined in the social compacts. Wm. Morris should be the last man to criticize opponents without exact information as to the meaning of the terms they use.

My suspicion that the editor of the "Workmen's Advocate" derives all his economic wisdom from the little pamphlet published by Marx and Engels as a "Communistic Manifesto" has now settled into firm conviction. He amends his denial of the right of the Anarchistic and single-tax schools of economy to the claim of scientific importance by a frank confession that he "does not know that they are schools at all." Why, of course he doesn't, and that's what the trouble with him is. It takes hard labor and deep thinking to master the laws and logic of these systems, which a labor politician neither cares nor needs to resolve upon. It is easy to learn to talk Socialistic slang and abuse every opponent with the vulgarity of fishwomen, and this is the only qualification demanded of partisan editors. Should the editor of the "Advocate" take a long vacation and study some of the works of the schools referred to, he might perhaps be able to discuss matters with greater profundity and seriousness on resuming his editorial function. At any rate, I strongly advise him to try the experiment.

Those individualists who feel alarmed over the success of the State Socialist agitation in England will be considerably reassured if they take Grant Allen's view of the subject. "The so-called Socialist," he says, "is often found on strict examination to be a Socialist in name only. Feeling deeply the goad of the fundamental wrongs under which the proletariat at present smarts, he accepts at once the Socialistic solution as being the first and easiest then and there afforded him. But when one presses him hard as to the separate clauses and items of his creed, one finds generally that what he lays stress upon is the injustice itself, not the supposed Socialistic cure; and that in instinct and spirit he is individualist at bottom. I do not myself believe that true Socialism has, or ever had, any large following among the people in England. I believe the solid and somewhat selfish English mind runs in quite another groove, and looks upon the world in quite another fashion. And I am perfectly sure that, if it came to the pinch, anything like true Socialistic measures would rouse the fiercest opposition and indignation of nine out of ten *soi-disant* Socialists." For my part, I am perfectly sure of exactly the opposite. It is true, no doubt, that the demand for Socialistic measures has largely grown out of the existing injustice, but it is equally certain that this demand has developed a philosophy based on authority and despotism, with which the State Socialists, both individually and as a body, are so thoroughly in love that if given an inch, they will take an ell.

THE LION'S COUNCIL OF STATE.

[*Translated from the Russian by John Ro[illegible]*]

A lion held a court for State affairs;
Why? That is not your business, sir, 'twas theirs!
He called the elephants for counsellors — still
The council board was incomplete;
And the king deemed it fit
With asses all the vacancies to fill.
Heaven help the State! — for lo! the bench of asses
The bench of elephants by far surpasses.

He was a fool — the aforesaid king — you'll say;
Better have kept those places vacant surely,
Than fill them up so poorly.
O no! that's not the royal way;
Things have been done for ages thus — and we
Have a deep reverence for antiquity:
Nought worse, sir, than to be, or to appear,
Wiser and better than our fathers were.
The list must be complete, even though you make it
Complete with asses; for the lion saw
Such had for ages been the law —
He was no radical to break it!

"Besides," he said, "my elephants' good sense
Will soon my asses' ignorance diminish,
For wisdom has a mighty influence."
They made a pretty finish!
The asses' folly soon obtained the sway;
The elephants became as dull as they!

Ivan Ivanovich Khemnitzer.

THE RAG-PICKER OF PARIS.

By FELIX PYAT.

Translated from the French by Benj. R. Tucker.

PART FOURTH.

THE STRUGGLE.

Continued from No. 146.

And as formerly, at the Quai d'Austerlitz, he sang his refrain:

F'rever wine!
F'rever juice divine!

Just then Baron Hoffmann entered, saying in an undertone:
"Now's the time! Let us squeeze the sponge."
"Here, Monsieur!" said Léon to the rag-picker.
But Jean, still drinking, said:
"Who's that? . . . Nothing. . . . What are you talking about? . . . Don't stir. . . . For my part, when I soak myself, I take root."
And again he began to sing incoherently. Then, after stopping a moment to take breath, he continued:
"Let's drink the whole vineyard! Let's sing the praises of the entire cellar till the end of the world!"
"Léon, go out," ordered the baron.
"What? Go out!" exclaimed Jean, swaying before the banker. "What's this blackbird whistling?"
And he resumed his singing:

No, friends are not such fools
That they will part.

Then to Léon:
"Stay, stay, I bid you, and pass him a glass. I treat; he pays."
He hummed with a voice broken with intoxication:

Fill up your empty glass!

A moment longer he tried to keep Léon, who went out upon a sign from the baron.
Then, having failed to hold the valet, he approached the master, staggering and singing:

The more one stays with fools,
The more one stays with fools,
The more one laughs!

"I beg a thousand pardons for my long absence," said the baron, watching him. "At last I come back to talk with you."
Jean stumbled up to him.
"Ah! it's you," he exclaimed. "Entirely forgiven, my dear sir; I have been waiting under the vines."
The baron turned away to avoid his breath.
"Pooh!" he exclaimed, in disgust.
Jean continued:
"You kept me so long that I got thirsty. Been waiting through more than five bottles, but not drunk! I could easily wait to drink the rest. I could swallow the sea and the fish. But here you are! All right, what is it?"
The baron answered evasively:
"I am at your service now. Let us talk of your business."
"My business?" said Jean, bewildered and tapping his forehead.
Then he exclaimed:
"Oh! yes, I remember."
"Did you say that you had a proof?" asked the baron.
Jean answered with great volubility.
"Yes, yes, let's talk of that, and not by four roads either. You've had Marie Didier arrested. You are going to have her released, and that quickly too, immediately and not tomorrow. Tomorrow's a traitor, like yourself, and cannot be depended upon. This very day and even sooner . . . . because you made the child, — that is to say, your daughter did, — and you had it killed, and I have the proof."
Reeling, he tried to lead the baron away.
The baron insisted.
"The proof?"
"Yes, the proof, your daughter's letter, the letter to the midwife; let's be off."
"Oh! the foolish wretched girl!" said the baron to himself.
Jean took the letter from his pocket-book.
"Oh! it's no use. I have that in my pocket which will make you march straight, by rail, by steam, and at high speed. I have the letter, signed . . . . do you understand? I have the proof, and there it is!"
"At last I have him," said the baron aside.
Jean caught hold of the banker.
"Come, let's start!"
The baron stopped him.
"You want to exploit me, do you not?" said he, "to extort money from me? You take me for your milch cow. Well, no scandal! Return that letter to me. I multiply the notes by three."
"Go to! you're a simpleton," exclaimed Jean, shrugging his shoulders.
And he put the pocket-book back in his pocket.
"Your fortune for that letter," continued the baron.
"My fortune!" sneered Jean, who had lost all prudence but not all honesty. "Is that it? Have we come to that? Ha! ha! ha! my fortune! Oh! this brazen-face. I expected it. . . I am on my guard, idiot; proof against gold and silver, baron. How many millions for Jean's daughter? You're too poor, banker! My fortune! And for what? I was already greatly embarrassed with the old woman's ten thousand francs. Fortune for me, Soiffard I, king of the Gonlots? Bah! Just to have a face as ugly as yours, old man, be fed upon bank-notes, have a beast's skin on my hands and death's hairs on my head, and spit in my pocket?"
The baron had just spat in his handkerchief.
"Just to have more wine than one can drink, valets that empty the cellar, daughters that kill their brats and then charge others with the crime . . . the devil and his whole train . . . . never! never! But this is not to the point. We've talked enough. Let's go to the judge!"
Again he tried to drag away the baron.
"Well," said the baron between his teeth, "it must be today as before."
And he added aloud, in a threatening voice:
"You will not give it to me; then I am going to take it."
Jean, unable to defend himself, began to shout:
"Help! help!"
The baron seized him by the collar, as on the night of the Quai d'Austerlitz.
"Will you be silent, rascal?" said he, tightening his grasp and twisting.
Jean uttered a loud cry:
"Ah! the grip of the Quai!"
He had just recognized the murderer of Jacques Didier.
"Proof against gold, but not against wine," exclaimed the baron, taking the pocket-book. "The wine has gone in, the secret comes out."
And, taking out the letter, he cried joyfully:
"I have it!"
Jean struggled on the floor, screaming:
"Oh! robber! murderer! He is killing me, he is robbing me . . . . as he did Didier. He takes, he burns the letter; the proof . . . help, murder, fire!"
The baron was in fact burning his daughter's letter in the flame of a candle. But suddenly, glancing at the pocket-book which he held in his hand, he exclaimed:
"What do I see?"
He read:
Berville Bank. — Jacques Didier, collector.
Straightway he replaced the pocket-book in Jean's pocket.
"Good!" he said to himself.
"Ah! robber!" cried the rag-picker. "Double assassin. My letter! my proof! Stolen! burned! He kills the daughter as he did the father."
The baron rang and called loudly:
"Hello there, somebody!"
Laurent, Léon, and two other valets, one of whom was dressed as a footman, hurried into the room.
"Arrest this drunken man," ordered the baron. "He is the murderer of Jacques Didier, the collector of the Berville Bank!"
And he went out triumphantly, holding his head high.
Jean, picked up by the valets, struggled like a madman, in a paroxysm of intoxication, and screamed as if the victim of an atrocious nightmare:
"Drunk! assassin. . . . . Who says I'm drunk? No, I am not drunk. I am mad!"
Releasing himself, he seized a bottle and drove back the valets.
"Oh! my head burns. Demons! they have poured fire into me; I have been drinking hell! . . . Two against one, the cowards; they have filled me up". . . .
And looking at the valets, he resumed in his frenzy:
"There, there are ten of them now, the traitors. Murder's wine! the devil's blood! the milk of crime! the water of death!"
Looking in his pocket for the letter, in the height of his fury, he stammered in a frightened yet threatening voice:
"The letter, the Quai! Jacques! Marie! Wine! . . . To the guillotine with wine! . . . I am wine's executioner; I will execute wine! Let there be no more wine upon earth! Where is wine that I may exterminate it?"
With a supreme effort he overturned table, bottles, and glasses, rolling in the heap himself.
Then only could the valets pick him up and carry him off, gesticulating and crying with horror:

Forever wine!
Forever juice divine!

CHAPTER IV.

THE CONCIERGERIE.

In prison slang the Conciergerie is called the *Tower* and the great inner courtyard the *Heap*. It is the rag-basket of Paris, the human rag-basket, continually filled up by officers and sorted out by judges, those rag-pickers of the police and the courts. On the day with which we have to do, three hundred Parisian fragments were swarming in this pit, open to the sky, but whose high walls, impossible to scale, would have discouraged Latude.
A circular bench fastened to the wall permitted the prisoners to sit down by turns.
On one side a door, on the other a fountain with an iron goblet. The desperate eyes of this wretched crowd were lowered towards the ground. In fact, why look above at free space and thus add the torture of Tantalus to that of the jail?
Laborers out of work, vagabonds, drunkards, keepers of girls, prowlers of the suburbs, old offenders in the courts, superannuated bandits, — this entire world was gloomy, thoughtful, anxious. They jostled without mingling with each other; groups formed and closed up spontaneously, the delinquents of a day separating from the habitual criminals. Like gravitates to like.
A keeper, with his heavy key in his hand, watched the prisoners, imposing silence upon a few youngsters whose buffooneries were continually bursting out, in spite of the posted regulation forbidding loud talking, laughing, singing, whistling, leaping, and running, under penalty of the dungeon, of the *mitard*, to use the word of the prisoners and the jailers, the latter speaking the same tongue as the former, howling not with the wolves, but like the wolves.
Into the "heap" had strayed a young man of scarcely twenty-five, with a smiling and honest face, the spruce and natty dress of a prosperous workman, a kind and frank nature, possessing the two beauties, physical and moral, the one reflecting the other.
"Ah-ah-ah!" he exclaimed, yawning and stretching. "How badly one sleeps here. What a hotel furnished with bugs! Upon my word, the mattresses are too thickly settled, like the suburbs of Paris. The government doesn't give us enough to eat, but to make up for it delivers us to the beasts to be eaten. Martyrs, well, I should say so! One is pricked, sucked, pumped, reduced to nothing. Oh! the vermin, what officials they would make! They are equal to the *bourgeois*."
The door opened, and some attendants, prisoners helping in the service, appeared, carrying loaves of black bread and a kettle filled with warm water in which a few dry vegetables were swimming.
"Say, I see no beefsteak," said the young man to himself, feeling a good appetite.
They distributed the bread and then served the soup in earthen bowls shaped like basins.
It came young Bonnin's turn.
"The devil!" he exclaimed, taking his bowl from the attendant's hands, "am I to wash my hands in this or eat it?"
"You are to swallow it, you joker," said the other.
"Ah! indeed! . . . only I was about to say ". . .
"What?" asked the attendant.
"Why, that it isn't clean enough to wash in; but provided it is for the inner man, I am silent . . . and I introduce your lye into my person. Thank you!"

But the overseer reminded the attendant of his duty.

"Paolo, be quick, gather up the bowls."

"Already!" exclaimed Bonnin, in a vein of gayety. "It was not worth while to pronounce a eulogy of Napoleon in our presence last evening. He ate in a quarter of an hour and we in a quarter of a second. I ask for the demolition of the column."

"Do you want to go into the *mitard?*" cried the keeper.

The workman was not disconcerted.

"If you consult my tastes, I will say no, unless your heart is really set upon it."

Paolo came back to Bonnin to get his bowl, which he had emptied with a gulp to avoid the taste of its contents.

The attendant related his grievance to the workman.

"To think that I should be here, when the last place where I was employed was the Maison d'Or."

"Just imagine that this is a branch establishment," said Bonnin to console him.

"I am ruined," groaned the other, "and yet I am an honest man."

"Retired from business," said Bonnin, laughing. "Come, confess that you have sold your capital of honesty."

"I, never!" denied the Italian; "I am the victim of a fatal resemblance."

"Yes, I see, they have taken you for a canary and put you in a cage."

"I swear to you that they have mistaken me for another," affirmed Paolo.

Bonnin assumed a doubtful air.

"It is you who take me for another. But you know it's useless to serve each other with the sauce of our misfortunes; it doesn't go down."

Paolo, as gentle as a lamb, drew nearer to the workman.

"And it appears that you have been arrested for a political offence," said he.

"Ah! you know that?" said the other, on his guard.

"Yes," answered Paolo; "but, say, what happened at that manifestation of. . . of". . . .

"You are informed, I hope," sneered Bonnin. "You want the explanation of my affair? Well, if any one asks you, you will answer without hesitation that you know nothing about it."

And, as Paolo began his yarns again, the workman doubled his raillery.

"Ah! you know," said he, "with such a face as yours that doesn't go down. Listen to me: on leaving the "Heap" one generally enters either the *pègre* or the *rousse*, as you say here. One becomes either a robber or a policeman. You lack frankness, and frankness is a necessary qualification for the liberal professions. You were not cut out for a robber. You were a waiter in a restaurant, you say; make yourself a spy. That too is a way of serving society."

But the keeper again called Paolo.

"Well," he cried; "when are you coming?"

The attendant, our old acquaintance of the Hotel d'Italie, resumed his service and stopped before an old workman bent and broken, who viewed this scene with a sombre look of revolt.

When Paolo took his bowl, he saw that it was full.

"Ah! you swallow nothing?" said he, in astonishment.

"I am not hungry," said the old man, without raising his head.

Bonnin took the bowl, saying joyfully:

"Really! Well, you're in luck. I am your successor."

And, after swallowing the soup, he continued his observations:

"To say that that is nourishing perhaps would be an exaggeration, but then it fills one up. Say, of what is this dish-water made? Not easy to say, I fancy. Let's see. Ah! I know; they pick up refuse from the floors of the markets and boil it in the water of the Bièvre. . . . But no; in that case it would be better; that's not it."

The prisoners, interested and amused, formed a circle around Bonnin, who continued:

"Ah! now I have the receipt! They rinse our bowls at night in warm water, don't they? Well, that makes the *bouillon* for the next day. It is the extract of dirty dishes concentrated and perpetuated."

And he returned his bowl to Paolo.

But the latter, who was vexed with Bonnin, killed his success with a joke.

"What stupid nonsense you talk! Don't you know that the dishes are never washed?"

And he finished his service, happy at having driven his nail into the scoffing and impenetrable workman and riveted it.

"Then," said Bonnin, quitting the circle of his hearers, "one is bound to believe that the cook of the Conciergerie is like the good God and makes something out of nothing."

And after this comparison flattering to Providence, he went to sit down on the bench by the side of the old man.

The latter noticed him and looked at him with pleasure, content at finding a sympathetic countenance in the midst of this repulsive herd.

"Tell me, why are you here?" he asked him.

Bonnin, who had no longer the same reasons to distrust, told the story of his arrest with his natural good-humor.

"Ah! This is how it was. The government asked us for three months' credit. Granted. We pinched our bellies; but now it seems that our debtors of the Provisional are insolvent. So I followed the comrades of my section to a meeting of creditors. The friends cried to our debtors: "Bread or lead! Give us bread or lead.' That did not seem to me exactly logical, and I, a little too consistent, as it seems, shouted: 'No! Give us bread, or we will give you lead.' My variation doubtless did not please everybody, for they grabbed me, and here I am!"

The old man shook his head.

"As for me," said he, "I am here because I have worked so hard all my life that I am no longer good for anything . . . not even to enter the national workshops. For worn-out laborers there is nothing but the poor-house or the 'Heap.' I haven't even held out my hand. Having no longer any lodging, I simply slept outside: vagrancy. The prison! Ah! if we have another revolution and if I am free! My name is Brutus Chaumette, young man, and in February for the last time I showed the stuff I am made of . . . the last time, did I say? Who knows? for I left blood there."

And the workman with the hammer straightened up his lofty stature, roaring like an old lion at the story of his life of poverty.

"At your age, my friend, I was like you, gay, laughing, taking life easily. I earned my living as a machinist. Then I got married. Children came and then died. Can one support brats in Paris? The mother died at last, leaving me a little girl. Not a cent left, debts on every hand, and out of work in the bargain."

Chaumette took the young workman by the arm.

"I pawned my hammer to get milk for the child. And then there was nothing left, and I had to carry the child to the Public Charities . . . abandon it, you understand. Poverty has dropped me lower and lower. I have followed all trades, —sweeper, messenger, drudge. At last I became a porter in a refinery, running about naked as a worm with moulds of boiling sugar, carrying them at full speed through rooms as hot as hell, where I had to hold my breath to keep my lungs from burning, and then running to take a shower under the fountain before returning to this task of the damned. All this to earn sixty cents a day. That's why my hide looks as if I were a hundred, my boy. Ah! you'll see, you'll see, you too . . . later."

The old man remained silent a moment and then resumed:

"You see, all that would be nothing, nothing, I swear to you, if I could only find my poor little Marianne again, my daughter, of whom I have never had any news, in consequence of my well-known ideas. . . . 'Wrong-headed fellow!' they have answered me at the office of administration. They owed me no information; they have given me none.

To be continued.

FREE POLITICAL INSTITUTIONS:

THEIR NATURE, ESSENCE, AND MAINTENANCE.

AN ABRIDGEMENT AND REARRANGEMENT OF

Lysander Spooner's "Trial by Jury."

Edited by VICTOR YARROS.

LEGITIMATE GOVERNMENT AND MAJORITY RULE.

Continued from No. 146.

If the relative numbers of opposing parties afforded sufficient evidence of the comparative justice of their claims, the government should carry the principle into its courts of justice; and instead of referring controversies to impartial and disinterested men, to judges and jurors sworn to do justice, and bound patiently to hear and weigh all the evidence and arguments that can be offered on either side, it should simply count the plaintiffs and defendants in each case (where there were more than one of either), and then give the case to the majority; after ample opportunity had been given to the plaintiffs and defendants to reason with, flatter, cheat, threaten, and bribe each other, by way of inducing them to change sides. Such a process would be just as rational in courts of justice as in halls of legislation; for it is of no importance to a man who has his rights taken from him whether it be done by a legislative enactment or a judicial decision.

In legislation the people are all arranged as plaintiffs and defendants in their own causes; (those who are in favor of a particular law standing as plaintiffs, and those who are opposed to the same law standing as defendants); and to allow these causes to be decided by majorities is plainly as absurd as it would be to allow judicial decisions to be determined by the relative number of plaintiffs and defendants.

If this mode of decision were introduced into courts of justice, we should see a parallel, and only a parallel, to that system of legislation which we witness daily. We should see large bodies of men conspiring to bring perfectly groundless suits against other bodies of men for large sums of money, and to carry them by sheer force of numbers; just as we now continually see large bodies of men conspiring to carry by mere force of numbers some scheme of legislation that will directly or indirectly take money out of other men's pockets and put it into their own. And we should also see distinct bodies of men, parties in separate suits, combining and agreeing all to appear and be counted as plaintiffs or defendants in each other's suits, for the purpose of eking out the necessary majority; just as we now see distinct bodies of men, interested in separate schemes of ambition or plunder, conspiring to carry through a batch of legislative enactments that shall accomplish their several purposes.

This system of combination and conspiracy would go on, until at length whole States and a whole nation would become divided into two great litigating parties, each party composed of several smaller bodies having their separate suits, but all confederating for the purpose of making up the necessary majority in each case. The individuals composing each of these two great parties would at length become so accustomed to acting together, and so well acquainted with each other's schemes, and so mutually dependent upon each other's fidelity for success, that they would become organized as permanent associations, bound together by that kind of honor which prevails among thieves, and pledged by all their interests, sympathies, and animosities to mutual fidelity and to unceasing hostility to their opponents; and exerting all their arts and all their resources of threats, injuries, promises, and bribes to drive or seduce from the other party enough to enable their own to retain or acquire such a majority as would be necessary to gain their own suits and defeat the suits of their opponents. All the wealth and talent of the country would become enlisted in the service of these rival associations; and both would at length become so compact, so well organized, so powerful, and yet always so much in need of recruits, that a private person would be nearly or quite unable to obtain justice in the most paltry suit with his neighbor, except on the condition of joining one of these great litigating associations, who would agree to carry through his cause, on condition of his assisting them to carry through all the others, good and bad, which they had already undertaken. If he refused this, they would threaten to make a similar offer to his antagonist, and suffer their whole numbers to be counted against him.

Now this picture is no caricature, but a true and honest likeness. And such a system of administering justice would be no more false, absurd, or atrocious than that system of working by majorities which seeks to accomplish by legislation the same ends which in the case supposed would be accomplished by judicial decision.

Again, the doctrine that the minority ought to submit to the will of the majority proceeds, not upon the principle that government is formed by voluntary association and for an agreed purpose on the part of all who contribute to its support, but upon the presumption that all government must be practically a state of war and plunder between opposing parties, and that, in order to save blood and prevent mutual extermination, the parties come to an agreement that they will count their respective numbers periodically, and the one party shall then be permitted quietly to rule and plunder (restrained only by their own discretion), and the other submit quietly to be ruled and plundered, until the time of the next enumeration.

Such an agreement may possibly be wiser than unceasing and deadly conflict; it nevertheless partakes too much of the ludicrous to deserve to be seriously considered as an expedient for the maintenance of civil society. It would certainly seem that mankind might agree upon a cessation of hostilities upon more rational and equitable terms than that of unconditional submission on the part of the less numerous body. Unconditional submission is usually the last act of one who confesses himself subdued and enslaved. How any one ever came to imagine that condition to be one of freedom, has never been explained. And as for the system being adapted to the maintenance of justice among men, it is a mystery that any

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Liberty.

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"In abolishing rent and interest, the last vestiges of old-time slavery, the Revolution abolishes at one stroke the sword of the executioner, the seal of the magistrate, the club of the policeman, the gauge of the exciseman, the erasing-knife of the department clerk, all those insignia of Politics, which young Liberty grinds beneath her heel." — PROUDHON.

☞ The appearance in the editorial column of articles over other signatures than the editor's initial indicates that the editor approves their central purpose and general tenor, though he does not hold himself responsible for every phrase or word. But the appearance in other parts of the paper of articles by the same or other writers by no means indicates that he disapproves them in any respect, such disposition of them being governed largely by motives of convenience.

Business necessities compel the editor of Liberty to take a long journey, during which it will be impossible for him to directly control the publication of the paper. He will be absent about two months. Until his return Liberty will be issued by Victor Yarros, whose work in the past is sufficient guarantee that the Anarchistic propaganda will not suffer under his charge.

Socialism Kicking Off Its Baby-Clothes.

In my review of the "Evolution of Revolutionary Thought" I took the position that the central truth of Socialism, that which all otherwise diverging schools hold in common, is that "association will be the watchword of the future," that the coming social order will be prevailingly based on coöperation of free equals. I also affirmed that such notions as common property, State control of industry, and suppression of individual initiative, still prominently kept in the foreground by many orthodox Socialists, are merely survivals of the vesture in which the infancy and minority of the Socialistic idea was enveloped, but which a maturer and more critical age consigns to oblivion or to a small corner of memory as interesting historical data. It is but natural that the State Socialists should deny this, and insist that, not Anarchism, but their own conception in perfect entirety is the latest development of the continually ripening new philosophy of human relations. But fortunately I am enabled to point out that the more thoughtful and scholarly among themselves are beginning to realize that their programme urgently requires serious modifications, and that another "Communistic Manifesto" would at this stage of progressive thinking be an anachronism. And I need scarcely add that the improvements suggested or introduced are all in the line of Anarchism.

London "Today" refers those who are fain to inform themselves about modern Socialism to Mr. Kirkup's "Inquiry into Socialism" and to the organs of the Fabian Society. Turning accordingly to the first, we are inexpressibly gratified to meet with deliberate statements and sentiments the like of which would be absolutely incredible and impossible in works of orthodox Socialists. Speaking of the future type of economic organization, Mr. Kirkup says: "If it is the principle of Socialism to do violence to the natural order of economic and social development, it can only work mischief, it will be a delusion and a failure, a source of disturbance and suffering. But there is no ground for the assumption that Socialism must demand a rigid and arbitrary adherence to the type. As, in the old economic orders, slavery, serfdom, and free labor often coexisted, so, in any future order, there will and should be many varieties of form." Imagine a good old believer in the simple plan of salvation by stern proscription of all competition striking the above! If he is not moved to frantically shout "heresy" and "Anarchy," he will surely be staggered by the following: "The development of Socialism necessarily follows the development of the large industry and of capitalism, and the large industry is spreading over the world. But should it be found that in certain departments of industry the small production is still the best and fittest, it may continue to prevail there after the coöperative form of organization may have been introduced into the large and staple branches. Socialism has no quarrel with free and independent labor." Still more significant is the remark that Socialism "is a form of economic organization which may proceed from the State, but which may with no less hope of success proceed from the free initiative of the industrial people and from local association." Beside this, how silly and puerile does a Bellamy seem!

Of the future organization of industry almost in identical expressions Proudhon gives in the "General Idea of the Revolution" a forecast similar to Mr. Kirkup's. And one of the most intelligent Anarchists of my acquaintance thus defined to me his position. "Society at large is one vast coöperative organization within which may exist any number of minor organizations for special purposes. These latter will vary in extent and closeness of connection of their individual parts according to the end for which they are designed. They may even in some cases be purely communistic. What Proudhon objected to is the attempt to force the organization suitable to one of these limited bodies on the whole of society, to compel each man to receive all others on the same terms."

Whatever vulgar worshippers of iron rule and rigid, imposed uniformity may claim, Proudhon's early protest against the sentimental fallacies, despotic element, and utopian ingredients of Socialism is certain to be more and more appreciated and heeded by all sober-minded reformers.

As regards that bugbear of authoritarians, liberty, it is even more interesting to follow the changed tone of Socialists. Contrast the blunt and idiotic assertion of a Gronlund that what the majority's fiat decrees as right and law is right and law, and that "liberty" is an idol dear only to the middle-class heart, with the guarded phraseology of Kirkup: "Real progress can be established only on a wide basis of improved conditions, not through the application of a single formula. Unless wedded to moral law and resting on a secure economic basis, freedom is not a special blessing. As a condition of a good and happy life in the highest state of humanity, it is one of the greatest interests of man; but it can be realized only through the recognition of truth and law, and through right methods of social organization. It must go hand in hand with enlightened progress and economic security. By itself freedom is no solution of the real and positive difficulties and necessities of social life. The principle of freedom only means that organization should be suited and subordinated to the good of man, and not made an instrument of constraint and of suffering. But social organization and regular terms of union there must be, as we are mutually dependent and related to each other in a thousand ways." Or attend to these wise words of Ingram, who is foremost in the present movement for reform of economic science and justly admired by the Fabians: "Freedom is for society, as for the individual, the necessary condition precedent of the solution of the practical problems, both as allowing nature's forces to develop themselves and as exhibiting their spontaneous tendencies; but it is not in itself the solution. Whilst, however, an organization of the industrial world may with certainty be expected to arise in process of time, it would be a great error to attempt to improvise one. We are now in a period of transition. . . . The conditions of the new order are not yet sufficiently understood. The institutions of the future must be founded on sentiments and habits, and these must be the slow growth of thought and experience."

Now these views coincide with what has always been emphasized in Liberty. Only latterly Mr. Lloyd wrote that "liberty is not the saviour, but opportunity to save. . . . It is the conscious and unconscious human intelligence, wisdom, that saves by adapting us to our environment and enabling us to avoid its adverse possibilities. Wisdom is the sole saviour, using the facts of knowledge, in liberty, to save both itself and its liberty"; and the friend quoted above also is impressed with the truth that "in socialism lies our economic salvation, and from the economic standpoint the value of freedom to us is mainly that it facilitates socialist combination."

Are we not justified in the hope that Socialists will rapidly emancipate themselves from those two pernicious superstitions, violent revolution and compulsory organization, and that, excepting those for whom there is no promise of an intellectual dawn, but only everlasting darkness of ignorance and passion, all critical light-seekers must one day embrace the Anarchistic idea of Socialism, — that of a harmonious social order, based on voluntary association of free men, evolved by a process of both conscious and spontaneous development? I think so; at any rate, the signs and indications of this consummation, so devoutly to be wished, are neither few nor dubious. V. Y.

The Church shelters many charlatans, but Talmage is the prince of them all. Writing of the Johnstown tragedy and the conflict between the doctors who opposed the putting out of the fires and the miserable survivers who wanted to identify their dead and bury them properly, he had the impudence to gravely say: "I tell you what we have to do, and that is, to leave it all to God. This is a calamity too big for human management." Yet he certainly voices the logic of the orthodox view; and, if he were consistent, he would threaten all who have exerted themselves in behalf of the victims with eternal damnation, as counteracting divine wisdom. But Talmage knows that consistency is not demanded by the fools who value his words. In the same letter, referring to "the demons who robbed the dead," he prayed that there might be "shot and rope enough on the ground to hang them or shoot them all. No judge or jury or trial are appropriate for such incarnate fiends. They ought not to be allowed to live an hour." What has become of the advice to leave everything to God? A pretended servant of him who taught not to resist evil inciting wholesale lynching is not an every-day spectacle even in that old museum of curious frauds, the Church.

Egoist Concludes.

To the Editor of Liberty:

It is not at all pleasant for me, being forced to confess that your reiterations of declarations, no matter how often repeated, do not enable my mind to harmonize them with the general tendency of your efforts. Those expressed in your issue of February 23 make despotism perfectly compatible with Anarchism, unless we insist that all persons ought to have the same opinions on economic doctrines. Any "voluntary association for the purpose of preventing transgression of liberty" must no doubt exercise jurisdiction over non-members when equal liberty is violated by them; otherwise the license allowed them would render equal liberty impossible. If now the transgressing non-member's view as to what constitutes a breach of liberty happens to differ from that of his judges, their repressive measures will be an act of tyranny to him.

It is my sincere conviction that the great majority of those who uphold the present social condition do so because they are of the opinion that the agreements, termed laws, restrain none but those who are transgressors; they imagine they are supporting a government securing equal rights to all. As far as their conviction is concerned, the present State is an association which is perfectly in keeping with your exposition of Anarchism. This conclusion does not agree with what you are evidently striving for.

The essential function of an organized association being protection to life and property, can this same protection be one of the incidentals? If so, everybody would naturally be satisfied with the incidentals, and the labor requisite to carry out this protection would be shouldered by none. If, on the other hand, that protection to property which constitutes the "right of ownership" is not included in the incidentals, non-members cannot "own" property. It is not human nature to protect the life and property of him who persistently refuses to help others when their life and property is endangered; and since "ownership" can exist only where such protection is exercised, the right of ownership unavoidably implies a duty to obey the call for help. Under our system of divided labor that call will naturally develop into a demand for money; hence the taxation of the property-owner is unavoidable; and in an equitable state of association the value of that protection will be determined by competitive

bids. In this there is no defence of the present system of taxation, by which a portion is artificially diverted into wrong channels, giving enormous incomes to idlers at the expense of the industrious.

"The Anarchist, who believes in the minimum restriction of liberty," I would refer to the second paragraph of my letter, which appears to me to conclusively show that in regard to the gold mine monopoly "it is impossible to sustain it without restricting the liberty of the would-be competitors."

When writing that "the distribution of skill is absolutely independent of social agreement," I overlooked that the ambiguity of language would readily permit a construction of the sentence differing from what I intended to say. Societary measures can undoubtedly obstruct the acquisition of skill, but the word of law has thus far been unable to transfer skill from one person to another, while the legal transfer of land is of daily occurrence.

If valuable land should become vacant, as may happen by the death of an heirless occupant, no association of selfish beings will secure it to the first-comer; they will confer it to the highest bidder, whose bid will determine the value of protection. The rent will thus go to the community by virtue of a free contract, not by force of law, except in the event of an attempt to violate the agreement.

Your reference to a "selling" of land capable of bringing rent calls for some explanation. Were it not for the influence of taxation, the value of land (exclusive of improvements) will always tend to equal the annual rent capitalized at the current rate of interest. Accordingly, if usury were abolished, such land would be invaluable, unpurchaseable. Land can be interchangeable for products of labor only as long as an indefinite annuity can be expressed by a definite present value, as long as usury is possible. Therefore only fools would quit land, even after first selling it, as any price can be but an insignificant portion of the aggregate value of the interminable advantage. A pro rata taxation of land values alone can prevent a practically infinite rise of land-values; the value tending to adapt itself to the rate of taxation so that the latter will equal the economic rent.

I do not advocate any laws to have the rent distributed; on the contrary, I have argued all along that the distribution of rent will be a natural result of the establishment of equal freedom, and can be prevented only by inequitable laws; that the supreme power should be exercised only when the law of equal freedom is violated; that a single tax law is not the measure by which equity can be established. Nor have I ignored the possibility of a forcible distribution of the results of labor, but since I consider the distribution of rent an unavoidable result of free competition, I cannot object to the latter, while heartily condemning the former.

I have no adverse rejoinder to make to your comparison of taxation with the action of a highway-robber, having reached my standpoint by recognizing that all organized beings *take* whatever they covet and *can* take, and that the more intelligent will abstain from taking only when they believe an ultimate disadvantage will accrue to them from the taking. The strong will invariably take from the weak, if he so chooses, unless he has reason to fear that the weak, perhaps reinforced by his sympathizers, may become strong enough to retaliate. We have no scruples against enslaving the horse, and feel no pangs of conscience in robbing the bees of their honey. In relation to the animal kingdom man is a highway-robber, to use your simile, and I think he will always remain an aggressor. Our moral respect for other men was originally born of a recognition of their strength, though this original motive may have become obliterated. Nor do I consider this propensity necessarily bad. On the contrary, it is the most active factor of progressive evolution, of the survival of the fittest. The highest state of civilization must result from its influence, as soon as men begin to understand that a grant of equal freedom is the best policy.

It seems that our antagonism arises not so much from a disagreement upon fundamental principles as from a different prognostication of the effects of liberty upon social agreements. And since you do not quarrel with what I consider a state of ideal democracy, built upon the law of equal freedom, I can see nothing to be gained by a repetition of the arguments for or against our individual views as to what will take place when liberty is triumphant. We can for all that continue to fight vigorously for the removal of all inequity, permitting economic laws to do the remainder.

EGOIST.

[Certainly further controversy would be idle, if Egoist proposes to stand in future upon the ground taken in his concluding article. On the central point under discussion he seems to me to have virtually yielded. Unless I have greatly misunderstood him, he has been maintaining that the collection of rent by force is no violation of equal liberty. At any rate, that is what I have endeavored to disprove, and any remarks "as to what will take place when liberty is triumphant" have been incidental merely. But now Egoist declares that he does not propose to collect rent by force. Well and good; in that case, I have nothing further to say. If he will insist on *absolutely no interference with competition, no matter whether the rent gets distributed or not*, that is all that Anarchy has to ask of him.—EDITOR LIBERTY.]

"The Wing of Azrael."

Critical readers of the better classes of fiction have often commented on the singular fact that married life is meagerly treated by those who deal with the old but ever new problem of love. Very few of our great novelists have ventured to lift the veil and expose the daily scenes that follow the "happy event," generally preferring to take leave of their readers at the same time that the "two united into one" bid farewell to their kin and start on the wedding-journey, presumably intending to convey the assurance that the further existence of the pair was too monotonous in its peace and serenity to be of any interest. Such as have depicted married life did it mostly to begin the unfolding of a new and second romance, and even where this is not the case, we invariably have a tale of woe and lingering agony, unless the author, in obedience to preconceived rules independent of his art, felt it incumbent upon him to create an atmosphere of joy for his "exemplary" characters.

Cynics, averse to meditation and deep thinking, have flippantly indulged in coarse witticisms over this fact, but less superficial minds have found in it confirmation of their conclusion, based on logic and observation, that the institution of marriage is a delusion, a snare, a failure, and a mockery, which it would be well to "reform altogether." To dilate on the principle of freedom in love which has been espoused by these opponents of marriage is as unnecessary for me here as to carry coals to Newcastle; suffice it to remind the readers that Mona Caird was one of the most prominent defenders of freedom in sexual relations.

Recently a novel, "The Wing of Azrael," was published by this clever authoress, in which the subject of marriage was understood to be discussed. I was eager to read it in spite of my apprehension that it might be "a novel with a purpose," of which my dread is intense and unconquerable. My fear, however, was dissipated at the first glance at the admirable preface, in which the author declares that a novel which is really an elaborate defence of a thesis has no right to the name and may be hunted down as a wolf in sheep's skin. We are assured that the aim is to represent, to portray, not to convert or to controvert. Thus relieved, my idea of what the novel should be was soon formed. I expected to find "a recorded drama, sternly without purpose, yet more impressive and inevitable in its teachings than the most purposeful novel," a crushing, though indirect, argument, an object lesson of the inherent viciousness of marriage, and an eloquent, though mute, appeal for freedom.

Now in this expectation I was disappointed, although the novel itself I read with an absorbing interest and delight (a sad and grave delight), such as I do not remember to have experienced from any but the writings of George Eliot. The chief merit of the book consists in the perfect naturalness of the development of the drama. But as a protest against the marriage institution and plea for its abolition the book must regretfully be pronounced a vexatious failure. Sensitive and reflective Viola having been forced by a profligate father and religion-stricken mother into a marriage with the man she detested for his cruelty, low selfishness, and vulgar views of life, and whose motive in seeking her was the gratification of sensuality and love of power, mutual hatred between them and exquisite misery for her doubtlessly were foregone conclusions. Her own bitter lot, the example of the irresistibly attractive Mrs. Lincoln, and the prayer and logic of Harry, could not fail to teach Viola to value the right of personality and to rebel against the outrages sanctioned by custom and prejudice. (Perhaps Viola's love for Harry is strange, for, with all his excellent qualities, he does not seem to me the man Viola could regard otherwise than as a friend; but George Eliot establishes a precedent for it in Dorothea's love for Will Ladislaw.) So Viola is driven to the point of despair, and she kills Philip in a moment of uncontrolable rage and madness. Which act, it is true, may be directly traced to the iron law of marriage, which leaves an insulted and humiliated wife no alternative but degrading slavery or universal scorn. But, unless I am greatly mistaken, no one will deny Viola his sympathy. Even the most orthodox believer in marriage will commiserate her. But as to blaming the principle of marriage, it will never occur to anybody. Viola's unhappiness, it will be argued, was due, not to the fact of her lawful marriage, but to her marriage with Philip, a man not only not after her own heart, but one whom she loathed both before and after marriage. They were, in fact, perfect opposites in every respects. How was it possible for them to live in peace? Had Viola married a man of heart, a man of noble mind and exalted purpose, she would have proved a faithful and loving wife. Nor is it fair to condemn marriage on the strength of such experience as Viola's. It is an ill wind that blows no one good, and it is an ideal law that does not bear hard on some individual in the body social. We may judge a thing by its fruit, but the average kind of fruit, produced under favorable conditions. It is unreasonable to discredit an excellent institution by dwelling on a single evil consequence of its unconscionable perversion and abuse. In a word, the lesson of Viola's fate will be taken to be that affection should constitute the essential basis of life-long union,—a maxim as old as the hills; and the reiteration of it in Mona Caird's novel suggests the mountain's labor to bring forth a mouse.

Mona Caird's fight is not merely with the stringent legal view of marriage, but also with the vicious respectability of public custom and with the fixed ideas of "dooty" which make cowards of the poor and weary slaves whose religion and morality stifle thought and extinguish the faintest spark of independence. But her weapons are ill-chosen. If Viola and Mrs. Lincoln are miserable in the loveless unions into which parental baseness or blindness forced them, and if Adrienne, with her eyes open, gives herself to a man whom she regards with contemptuous amusement and so invites misery to take charge of the rest of her life, is the marriage principle at fault? The only way to assail marriage is to show that it is the grave of love, that it invariably has a demoralizing effect, and that, however auspiciously begun, it sooner or later must degenerate into a nest of irritation, dissension, and ignoble feelings. Life too abundantly presents such spectacles to allow artists any hesitancy about recording and representing them. And the fear of didactic art should not drive authors to a style justifying the reader's drawing inferences at war with their real intentions.

On the whole, though the novel is brilliant, almost great in its incidentals, and full of rare dramatic power, it is not *the* novel on the marriage question. For it we must wait patiently, and, while waiting, do what we can in our prosaic, unartistic ways to hasten the emancipation of men and women, or rather, of women and men.

B. S.

Remedy for Official Corruption Suggested.

[Boston Transcript.]

The endeavors of the trunk line presidents to induce Commissioner Fink to remain in his place make a very bright spot in what circumstances have made a somewhat dark picture, to wit, the railroad business. Mr. Albert Fink has been the *beau ideal* of a railroad commissioner; so far as we have heard of, there has not been, among all the conflicting interests that he has long had to adjust, any imputation upon his fairness or any questioning of his perspicacity. Occupying a very important, a very highly paid and consequently much-coveted, though laborious and difficult, position, he has escaped the calumny that goes with every public office, and which even George Washington, as president, did not escape.

It is not fair to suppose that Mr. Fink is a better man than George Washington was, or than a good many others who have held public offices and been blackguarded while they held them and bidden good riddance by a considerable section of the public when they withdrew. Why should the railroad business, which is credited by a good many people with being the sum of all villanies, provide the world with so shining an example of appreciation of merit and unanimous concurrence in a benevolent desire?

If we are to trust our philosophers, we do not need to look far for the reason. The election of Mr. Fink to his place and his maintenance there were not based upon the coercion of an unwilling minority. In the State, which, whether we like to acknowledge it or not, is founded upon the maxim "might makes right," the public officeholder is very widely regarded as a public enemy, and is treated as such by the minority which did not vote for him. This has always been so, and always will be, so long as the State survives. With the gentleman who for the snug sum of twenty-five thousand dollars a year is employed to arbitrate the ugly differences of the trunk lines, the case is quite different. The association is a voluntary one, based on the free consent of its members. They have come together for purely business reasons, and business reasons guide their choice and continued employment of an arbitrator. If they had any idea that they were being victimized in the association, they would withdraw from it.

It may be said that the motive which induces the trunk-line presidents to endeavor to persuade Mr. Fink to remain, now that he has become tired out and has possibly acquired a competence, is pure selfishness. That is very likely. But the self-interest of the various members of the association, united in those things and only in those things which are of acknowledged common interest, is precisely the force which keeps their association together. This voluntary union of common interests, each one of which is individual, a *self* interest, is the only thing which makes society and organized existence possible.

The devotion of the trunk-line people to Mr. Fink, his immunity from attack as commissioner, and the smooth working of the association as contrasted with the friction and continual concern caused by the interstate law, make a very interesting object lesson in demonstration of the value of voluntary organization in commerce as against compulsory regulation.

Revolution Always Wasteful.

[Carlyle.]

How wise in all cases to "husband your fire," to keep it deep down rather as genial radical-heat. Explosions, the forciblest and never so well directed, are questionable, far oftenest futile, always frightfully wasteful.

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human mind could ever have been visited with an insanity wild enough to originate the idea.

If it be said that other corporations than governments surrender their affairs into the hands of the majority, the answer is that they allow majorities to determine only trifling matters that are in their nature mere questions of discretion, and where there is no natural presumption of justice or right on one side rather than the other. They never surrender to the majority the power to dispose of or—what is practically the same thing—to determine the rights of any individual member. The rights of every member are determined by the written compact to which all the members have voluntarily agreed.

For example. A banking corporation allows a majority to determine such questions of discretion as whether the note of A or B shall be discounted; whether notes shall be discounted on one, two, or six days in the week; how many hours in a day their banking-house shall be kept open; how many clerks shall be employed; what salaries they shall receive; and such like matters. But no banking corporation allows a majority, or any other number of its members less than the whole, to divert the funds of the corporation to any other purpose than the one to which every member of the corporation has legally agreed that they may be devoted; nor to take the stock of one member and give it to another; nor to distribute the dividends among the stockholders otherwise than to each the proportion which he has agreed to accept and all the others have agreed that he shall receive. Nor does any banking corporation allow a majority to impose taxes upon the members for the payment of the corporate expenses, except in such proportions as every member has consented that they may be imposed. All these questions, involving the rights of the members as against each other, are fixed by the articles of the association,—that is, by the agreement to which every member has personally assented.

What is also specially to be noticed, and what constitutes a vital difference between the banking corporation and the political corporation, or government, is that in case of controversy among the members of the banking corporation as to the rights of any member, the question is determined, not by any number, either majority or minority, of the corporation itself, but by persons out of the corporation; by twelve men acting as jurors, or by other tribunals of justice, of which no member of the corporation is allowed to be a part. But in the case of the political corporation, controversies among the parties to it as to the rights of individual members must of necessity be settled by members of the corporation itself, because there are no persons out of the corporation to whom the question can be referred.

But farther. The doctrine that the majority have a right to rule proceeds upon the principle that minorities have no rights in the government; for certainly the minority cannot be said to have any rights in a government so long as the majority alone determine what their rights shall be. They hold everything, or nothing, as the case may be, at the mere will of the majority.

It is indispensable to a "free government" that the minority, the weaker party, have a veto upon the acts of the majority. Political liberty is liberty for the weaker party in a nation. It is only the weaker party that lose their liberties when a government becomes oppressive. The stronger party in all governments, are free by virtue of their superior strength. They never oppress themselves.

Legislation is the work of this stronger party, and if, in addition to the sole power of legislating, they have the sole power of determining what legislation shall be enforced, they have all power in their hands, and the weaker party are the subjects of an absolute government.

Unless the weaker party have a veto either upon the making or the enforcement of laws, they have no power whatever in the government, and can of course have no liberties except such as the stronger party, in their arbitrary discretion, see fit to permit them to enjoy.

Suffrage, however free, is of no avail for this purpose, because the suffrage of the minority is overborne by the suffrage of the majority, and is thus rendered powerless for purposes of legislation. The responsibility of officers can be made of no avail, because they are responsible only to the majority. The minority are, therefore, wholly without rights in the government, wholly at the mercy of the majority, unless they have a veto upon such legislation as they think unjust.

Government is established for the protection of the weak against the strong. This is the principal, if not the sole, motive for the establishment of all legitimate government. Laws that are sufficient for the protection of the weaker party are of course sufficient for the protection of the stronger party, because the strong can certainly need no more protection than the weak. It is therefore right that the weaker party should be represented in the tribunal which is finally to determine what legislation may be enforced; and that no legislation shall be enforced against their consent. They being presumed to be competent judges of what kind of legislation makes for their safety and what for their injury, it must be presumed that any legislation which they object to enforcing tends to their oppression and not to their security.

There is still another reason why the weaker party, or the minority, should have a veto upon all legislation which they disapprove. That reason is that that is the only means by which the government can be kept within the limits of the contract, compact, or constitution by which the whole people agree to establish government. If the majority were allowed to interpret the compact for themselves, and enforce it according to their own interpretation, they would of course make it authorize them to do whatever they wish to do.

But it will perhaps be said that, if the minority can defeat the will of the majority, then the minority *rule* the majority. But this is not true in any unjust sense. The minority enact no laws of their own. They simply refuse their assent to such laws of the majority as they do not approve. The minority assume no authority over the majority; they simply defend themselves. They do not interfere with the right of the majority to seek their own happiness in their own way, so long as they do not interfere with the minority. They claim simply not to be oppressed, and not to be compelled to assist in doing anything which they do not approve. They say to the majority: "We will unite with you, if you desire it, for the accomplishment of all those purposes in which we have a common interest with you. You can certainly expect us to do nothing more. If you do not choose to associate with us on those terms, there must be two separate associations. You must associate for the accomplishment of your purposes; we for the accomplishment of ours."

In this case, the minority assume no authority over the majority; they simply refuse to surrender their own liberties into the hands of the majority. They propose a union, but decline submission. The majority are still at liberty to refuse the connection and to seek their own happiness in their own way, except that they cannot be gratified in their desire to become absolute masters of the minority.

But, it may be asked, how can the minority be trusted to enforce even such legislation as is equal and just? The answer is that they are as reliable for that purpose as are the majority; they are as much presumed to have associated for that object as are the majority; and they have as much interest in such legislation as have the majority. They have even more interest in it, for, being the weaker party, they must rely on it for their security, having no other security on which they can rely. Hence their consent to the establishment of government, and to the taxation required for its support, is presumed (although it ought not to be presumed), without any express consent being given. This presumption of their consent to be taxed for the maintenance of laws would be absurd, if they could not themselves be trusted to act in good faith in enforcing those laws. And hence they cannot be presumed to have consented to be taxed for the maintenance of any laws, except such as they are themselves ready to aid in enforcing. It is therefore unjust to tax them, unless they are eligible to seats in a jury, with power to judge of the justice of the laws.

But, it will be asked, what motive have the majority, when they have all power in their hands, to submit their will to the veto of the minority?

One answer is that they have the motive of justice. It would be unjust to compel the minority to contribute by taxation to the support of any laws which they did not approve.

Another answer is that, if the stronger party wish to use their power only for purposes of justice, they have no occasion to fear the veto of the weaker party; for the latter have as strong motives for the maintenance of just government as have the former.

Another reason is that, if the stronger party use their power unjustly, they will hold it by an uncertain tenure, especially in a community where knowledge is diffused; for knowledge will enable the weaker party to make itself in time the stronger party. It also enables the weaker party, even while it remains the weaker party, perpetually to annoy, alarm, and injure their oppressors. Unjust power, or rather power that is grossly unjust, and that is known to be so by the minority, can be sustained only at the expense of standing armies, and all the other machinery of force; for the oppressed party are always ready to risk their lives for purposes of vengeance and the acquisition of their rights whenever there is any tolerable chance of success. Peace, safety, and quiet for all can be enjoyed only under laws that obtain the consent of all. Hence tyrants frequently yield to the demand of justice from those weaker than themselves as a means of buying peace and safety.

Still another answer is that those who are in the majority on one law will be in the minority on another. All, therefore, need the benefit of the veto at some time or other to protect themselves from injustice.

That the limits within which legislation would by this process be confined would be exceedingly narrow, in comparison with those it at present occupies, there can be no doubt. All monopolies, all special privileges, all sumptuary laws, all restraints upon any traffic, bargain, or contract that was naturally lawful (such as restraints upon banking, upon traffic with foreigners, etc.), all restraints upon natural rights, the whole catalogue of *mala prohibita*, and all taxation to which the taxed parties had not individually, severally, and freely consented, would be at an end, because all such legislation implies the violation of the rights of a greater or less minority. This minority would disregard, trample upon, or resist the execution of such legislation, and then throw themselves upon a jury of the whole people for justification and protection. In this way all legislation would be nullified, except the legislation of that general nature which impartially protected the rights and subserved the interests of all. The only legislation that could be sustained would probably be such as tended directly to the maintenance of justice and liberty; such, for example, as should contribute to the enforcement of contracts, the protection of property, and the prevention and punishment of acts intrinsically criminal. In short, government in practice would be brought to the necessity of a strict adherence to natural law and natural justice, instead of being, as it now is, a great battle in which avarice and ambition are constantly fighting for, and obtaining advantages over, the natural rights of mankind.

II.

TRIAL BY JURY AS A PALLADIUM OF LIBERTY.

Such being the principles on which the government is formed, the question arises, how shall this government, when formed, be kept within the limits of the contract by which it was established? How shall this government, instituted by the whole people, agreed to by the whole people, supported by the contributions of the whole people, be confined to the accomplishment of those purposes alone which the whole people desire? How shall it be preserved from degenerating into a mere government for the benefit of a part only of those who established it and who support it? How shall it be prevented from even injuring a part of its own members for the aggrandizement of the rest? Its laws must be (or, at least, now are) passed, and most of its other acts performed, by mere agents,—agents chosen by a part of the people, and not by the whole. How can these agents be restrained from seeking their own interests, and the interests of those who elected them, at the expense of the rights of the remainder of the people, by the passage and enforcement of laws partial, unequal, and unjust in their operation?

That is the great question. And the trial by jury answers it.

"The trial by jury" is a trial *by the country*—that is, by the people—as distinguished from a trial by *the government.*

It was anciently called trial *per pais*,—that is, trial by the country. And now in every criminal trial the jury are told that the accused "has, for trial, put himself upon the country, which country you (the jury) are."

The object of this trial by the country, or by the people, in preference to a trial by the government, is to guard against every species of oppression by the government. In order to effect this end, it is indispensable that the people, or the country, judge of and determine their own liberties against the government, instead of the government's judging of and determining its own powers over the people. How is it possible that juries can do anything to protect the liberties of the people against the government, if they are not allowed to determine what those liberties are?

Any government that is its own judge of, and determines authoritatively for the people, what are its own powers over the people, is an absolute government. It has all the powers that it chooses to exercise. There is no other, or, at least, no more accurate, definition of a despotism than this.

On the other hand, any people that judge of, and determine authoritatively for the government, what are their own liberties against the government, of course retain all the liberties they wish to enjoy. And this is freedom. At least, it is freedom to them; because, although it may be theoretically imperfect, it nevertheless corresponds to their highest notions of freedom.

To secure this right of the people to judge of their own liberties against the government, the jurors must be taken from the body of the people, by lot, or by some process that precludes any previous knowledge, choice, or selection of them, on the part of the government. This is done to prevent the government's constituting a jury of its own partisans or friends; in other words, to prevent the government's packing a jury with a view to maintain its own laws and accomplish its own purposes.

To be continued.

Anarchist-Communist.

I heartily thank my Australian comrade, Mr. Andrews, for the interest he takes in my views, but regret sincerely to see a professed Anarchist make a mistake so fundamental as the one the editor has so clearly pointed out in his article. Almost every controversy I have had since I became an Anarchist has been a defence on my part of this one point, — that Anarchists do not claim the right to do as they please unconditionally, but the right to do as they please at their own cost. And almost every article I have written, within that time, has been an attempt to explain this.

To many minds the idea appears absolutely incomprehensible. Is it because it is so simple it appears insignificant? Is it because it is so clear they can see through it, and therefore see nothing of it? Or is it because it is so immense they cannot bound it, so full of tremendous potencies that it is as an opaque brilliancy to their dazzled vision? A little of one and all, I fancy. Certainly it is a fact in mentality that you may state the simplest truth in the simplest form of sound words forever, and you will never be comprehended unless some peculiar growth or development, or attuning, on the side of the listener, puts him in a position to receive it; and where this recipiency exists, the most complex truth, conveyed in the cloudiest terms, is often embraced afar off.

You may feed a man for a life-time on facts, but unless he digests and assimilates them into his thought-life, you have simply clogged him and produced inertia and stupor.

To what end, then, would we force truth upon men, proselyte, or educate by compulsion? Is it not one of our principles that the supply must be adapted to the natural demand? Nature is not mocked; she will take her time. You may lead your horse to the water, but thirst alone shall make him drink.

Diverse ability, diverse stupidity. Hence division of labor, and diverse equality. Stupidity is the birthright of us all, and every man is a fool in his own right; every man is a genius in his own place and good time. Despite all this comfortable philosophy, I cannot help feeling a little disheartened when intelligent comrades who love liberty and practise it fail to comprehend, or forget, its essential nature. But I am cheered again at the constant proofs afforded by governmentalists of a correct theoretical knowledge of the liberty they blaspheme.

'Tis a queer world, and nature strikes her balances in odd and unexpected ways, but she "gets there just the same." Mr. Andrews has but to revise his argument in the light of the cost principle to perceive that its entire osseous structure disappears, that his battle has been with the ubiquitous "man of straw."

As Mr. Andrews accuses me of Communism, a few words of repeated explanation appear necessary, especially as he asserts my Communist-Anarchism "in all but name and knowledge of the fact," and, furthermore, asserts as the distinctive principle of Communist-Anarchism "that every one in the world has an equal liberty to the enjoyment of any or every thing in the world, whether raw material or produce," — a principle which I distinctly repudiate. My studies in nature and Anarchism, particularly the reading of Proudhon, have opened my eyes to the fact that nature tends in every thing to balance, symmetry, equality, counterpoise; that she is continually, and by a thousand varying methods, effecting this object. So true is this, in fact, that she will not let this principle of equality, even, run to an extreme, but has opposed to it the principle of aggression, antagonism, government, as a perpetual fact in nature. Thus the more equal men become one with another, the more governmental their attitude toward inferior nature, the more complete their conquest and tyranny over the wealth of the world.

In the sphere of man and his social harmony, then, I observe two great principles which balance each other like the centripetal and centrifugal forces, but which are both forms of individualism, — the principle of Separatism, of men, units, individuals formed out of Humanity, the Grand Man; and the principle of Communism, or of men, units, individuals, formed into the Grand Man, Humanity.

The first is the principle of solitude, independence, selfpoise, self-ownership, egoism. The second is the principle of society, interdependence, mutualism, reciprocity, coöperation, hospitality, generosity, love, sympathy, and altruism. Every thing in nature has its bad form, — its form or attitude of injury toward us, that is. So the bad form of Separatism is selfishness, egotism, hermit-life, enmity, haughtiness, forcing others to contribute to self. The bad form of Communism is dependence, involuntary or voluntary, annexation by force, slavery, serfdom, taxation, government, robbery, and all forms and methods and customs by which the individual is forced to contribute to others.

That is to say, the abnormal forms of each are those in which there is an absence of liberty, or by which liberty is threatened; the normal forms are those in which liberty has perfect action and all respect.

In Communism the abnormal form is the communism of external, inflexible forms, limiting the normal communism of love, sympathy, and common desire, and preventing its appearing and disappearing spontaneously. Both Separatism and Communism are individualistic; the first relating to the individual (the separate human being); the second relating to Individual (Society, Humanity, Man). Both normally relate to liberty; the one to private, personal liberty, the other to public, social liberty, and, in the third place, each relates to private, each to social liberty, for the liberty of society depends upon the liberty of its units, and the liberty of the individual is increased by all real society. Both are egoistic as to root, and the second is the outgrowth and completion of the first. Both are forms of justice; the first of distributive, separative, personal, discrete, analytic justice; the second of collective, unitary, social, concrete, synthetic justice.

For justice is harmony, or the act productive of it, — *adjustment*. Justice is often spoken of as equality, and, in a certain sense, correctly, for, when we arrive at the ultimate equality, we arrive at *equal normal satisfaction, which is justice*. But there are many equal things, many that balance, that are by no means just. Equal dissatisfaction is not justice, equal aggression is not just; if I gouge out your right eye, and you gouge out my right eye, justice is not satisfied, though the two acts balance one the other. Two aggressions, though equal, produce not justice till two foregivenesses are added thereunto. Where any dissatisfaction mingles with satisfaction, we may be sure that justice is not fulfilled.

Sanity, happiness in the mental, health in the physical, harmony in the social sphere, — all these are forms of justice. Justice is *peace*.

It will be asked why I describe such usual emotions as sympathy, love, friendship, generosity, hospitality, sociality, under the unusual title communism. And I reply, because it is the tendency and the result of all these to merge separate individuals into one common individual, into a society, yet without force; because it is the spirit and impulse of all these to put in practice the Communistic formula: From each according to his ability, to each according to his needs. This, it seems to me, is a self-evident and unimpeachable justification of my use of the term. The function of all these emotions — of this spontaneous communism — is to equalize the strength, knowledge, and fortunes of men.

The next question which I foresee is: If you think so highly of communism, why do you not call yourself a Communist, or at least a Communist-Anarchist? To this I reply, first, that the term Communist, as commonly used, conveys no such meaning as I would wish to convey, but means one who believes that community of goods is the essential thing to establish human harmony, while I neither believe, nor teach, any such doctrine.

I value community of goods only where it occurs as an incidental and spontaneous manifestation of internal communism, of mental sympathy. Of course, if any two or more persons mutually agree to a permanent community of goods, I have nothing to say. A man is free to act against his own freedom; he is free to risk it. And this experiment is risky. But when community of goods is gravely proposed as the vital principle of the new society, I, as a free-Socialist earnestly protest. Liberty, in my opinion, is not possible where community of goods is established, except under utopian mental conditions which it is absurd to suppose; therefore, in the name of free society, I condemn it. Nevertheless, community of goods, as a spontaneous and variable phenomenon, will continually manifest itself in free society, just as it manifests itself today in governmental society, only to a vastly greater extent. For instance, two men with a common business object do not hesitate to share alike both expense and profit, if their personal sympathy is sufficient. Every manifestation of what we call favor, helpfulness, benevolence, generosity in the material sphere is in the direction of community of goods. All this is right, and all that I object to is any law, custom, or public opinion which would inculcate communism of this sort as a duty, or would make it painful, odious, or otherwise difficult to avoid it. To compel, or even to strive after, the external communism is to obstruct the internal. Nature resents dictation.

Another reason why I wish not to be called a Communist is because nature resents all emphasis of those emotions and acts I have called communistic. Egoism is the fact that nature emphasizes; egoism is her first and basic thought, and, where that is emphasized, altruism follows fast enough. Herein is hinted a general truth. Nature knows we are always thinking about the end; therefore she bids us attend to the means. She bids us to sow and to dig, for she well knows we can be trusted to reap. She bids us gather and labor; she knows we will eat and sleep. But to the man who would only reap she gives a scanty crop of wild and sour; to the man who would only eat, flatulence and rotting disease; the man who lives to sleep knows nothing of sweet and refreshing slumber.

Everywhere she resents emphasis on the end, and emphasizes the means. And communism — love, sympathy, coöperation, society — is an end, to which Anarchism — liberty, *laissez faire*, the letting alone of every man in his own right — is the means.

Where in the world will you find the most love, respect, dignity, sympathy? Always where liberty is the largest, always among equals. Let every man alone in his own right, give him his liberty, and he will love you.

Every-man-for-himself before prosperity, prosperity before generosity, egoism before devotion, self-ownership before self-sacrifice.

Every man has a right to his liberty, to compel you to grant it; no man has a right to compel your generosity, or to command you to be loving. That is the Christian's mistake. Liberty, equality, these things are of obligation, but love and generosity are of favor. Am I understood? There *is* an obligation to love and be generous, but it is internal, not external, from duty to self, not others. To compel or dictate affection or generosity in others, or in self toward others, is to reverse the natural order. To attempt to force affection, or sympathy, or any of the spiritual binding forces, is like trying to catch a ghost. Clutch, and your hands pass through empty air; stand back, and the vision is vivid as life. Hence the folly and failure of all those who have attempted by laws and commandments to compel or frighten men into mutual affection and community of goods. Thinking that by the road of love they could reach liberty, they have endeavored to force love in defiance of liberty, and they have always failed, and will always fail while the world stands.

Communism needs no emphasis, then, but Anarchism needs emphasis; love needs no emphasis, but equal liberty needs emphasis.

Seek first liberty, and all these things shall be added unto you without seeking.

If I must be called Communist, therefore, let me not be called Communist-Anarchist, but Anarchist-Communist, remembering the natural order.

Liberty first, and after liberty, Love.

J. Wm. Lloyd.

A State Socialist on "Looking Backward."

Liberty has already given expression to its disgust at the inordinate fuss over Edward Bellamy's book. But Liberty is Anarchistic, and its words do not count. So I have been waiting for some honest and intelligent State Socialist, who, however mistaken in his authoritarian beliefs, at least founds them on something more rational than rhapsody if not as fascinating as fairy tales, to tell the truth about this ridiculously over-rated production. I knew that such a critic would appear, and he has come. A healthy rebuke of the innocent enthusiasm of the Nationalists is contained in the following paragraphs by Hubert Bland, one of the foremost members of the Fabian Society and editor of "To-Day," the only Socialist magazine in England:

We have deferred noticing "Looking Backward" for several months, because we have been characteristically reluctant to raise a discordant note in the chorus of praise which has gone up in its honor. We always like to shout with the crowd, and, when the crowd is made up of Socialists, our desire to swell the volume of sound, applausive or other, becomes acute. Hence the non-appearance, hitherto, of any mention of Mr. Bellamy's successful book in the pages of the only English Socialist magazine. But open confession is good for the soul of the confessor, and if we are wrong in our views of this latest Utopia, it is well for us that all our Socialist brethren should know exactly how wrong we are.

First, then, the work strikes us as being dull. There is an exasperating suggestion of Mr. Barlow all through it. This, perhaps, is inseparable from any utopia not the production of a transcendent genius like Sir Thos. Moore, and Mr. Bellamy has not brought genius, but only talent and clear thought, to his task. But the work has been so well and so honestly done that we do not dare to criticise it in the ordinary way, and will content ourselves with just stating its effect upon our own minds, leaving it to our readers to say how far their experience agrees with ours, and hoping that we shall not be left alone with our unregenerate heart. Every one who is likely to read this will remember that striking passage in J. S. Mill's "Autobiography," in which he tells us of the critical moment in his life when he asked himself whether, supposing all his ideals were realized, he would be really happy; how the "Ego" answered "no," and how then he wandered forth into the valley of darkness. Very much like that has been the effect of "Looking Backward" upon ourselves. With Mr. West we have walked the streets of the city of the future, and heartily longed for the Oxford Street of today. We have had interminable talks with Dr. Leete, and sighed the while for half an hour of Mr. Bernard Shaw on the "family." We have turned on the music tap in our twentieth century bedroom, and the sounds it brought delighted us not half so well as the hot and crowded Richter concert. We have turned on the sermons too, and thought regretfully of the pro-cathedral and Cardinal Manning. Lastly, we have had *tête-a-têtes* with beautiful Edith Leete, the typical woman of the coming time, and not cared a bit for them, for our heart all the time was — well — where concerns nobody. Anyhow, we have never so fervently thanked the Fates for making us a man of Nineteenth Century London as when we closed the covers of "Looking Backward."

Some glimmering of the same thought seems to have found its way into the mind of the author, for on the last page he tells us of a voice which spoke to him, "Better for you, better for you," it said, "better your part pleading for crucified humanity with a scoffing generation, than here, drinking of wells you have not digged, and eating of trees whose husbandman you stoned," and his spirit answered, "better

truly." Now, we have for the last six years pleaded, in a small way, for "crucified humanity," from club platforms and elsewhere; we have never, to the best of our recollection, stoned a husbandman, or even, for the matter of that, a stray cat, but this book has done a good deal to make us more contented with our lot *if* the alternative is the social *milieu* foreshadowed in Mr. Bellamy's Utopia. But that is not the alternative, and so we shall go on working for Socialism, believing that the coming State has not yet been glimpsed by mortal eyes.

A WARNING.

[*Translated from the German, of Heine, by John Ackerlos.*]

Dearest friend, thy fate I see,
If you write such books as these!
Would you gold and honor win,
Servile and humble you must be!

Surely you provoke the Fates,
Thus to speak unto the people,
Thus to speak of Priests and Parsons,
Thus of Kings and Potentates.

Friend, your lot excites my fears!
Kings and Princes have long arms,
Priests and Parsons have long tongues,
And the people have long ears!

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